



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Dinesh Mody
APPLICATION NO.: 09/660,466
FILING DATE: September 12, 2000
TITLE: Surgical Microwave Ablation Assembly
EXAMINER: Aaron F. Roane
GROUP ART UNIT: 3739
ATTY. DKT. NO.: 23488-09185

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below:

Dated: 12/16/04 By: Albert C. Smith
Albert C. Smith, Reg. No.: 20,355

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ALEXANDRIA, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Under 37 CFR §§ 1.56 and 1.97-98

SIR:

Pursuant to the provisions of 37 CFR §§ 1.56 and 1.97-98, enclosed herewith are two (2) modified PTO/SB/08A forms listing references for consideration by the Examiner.

The filing of this Information Disclosure Statement shall not be construed as a representation regarding the completeness of the list of references, or that inclusion of a reference in this list is an admission that it is prior art or is pertinent to this application, or that a search has been made, or as an admission that the information listed is, or may be considered to be, material to patentability, or that no other material information exists, and shall not be construed as an admission against interest in any manner.

This Information Disclosure Statement is being filed:

- ☐ within three months of the filing date of the application, or date of entry into the national stage of an international application, or before the mailing date of a first office action on the merits, whichever event last occurred;
- ☒ before the mailing of a first official action after the filing of a request for continued examination (RCE) under 37 CFR § 1.114;
- ☐ after three months of the filing date of this national application or the date of entry of the national stage in an international application, or after the mailing

date of the first official action on the merits, whichever event last occurred, but before the mailing date of the first to occur of either: (1) a final action under 37 CFR §1.113; or (2) an action that otherwise closes prosecution in the application, and:

- ☐ attached hereto is the fee set forth under 37 CFR §1.17(p) for submission of this Information Disclosure Statement under 37 CFR. § 1.97(c); OR
- ☐ Applicant certifies pursuant to 37 CFR § 1.97(e) that:
 - ☐ each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement; OR
 - ☐ no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated under 37 CFR § 1.56(c) more than three months prior to the filing of this Statement;
- ☐ on or before the payment of the issue fee but after the mailing date of the first to occur of either: (1) a final action under 37 CFR § 1.113; (2) a notice of allowance under 37 CFR § 1.311; or (3) an action that otherwise closes prosecution in the application, and:
 - ☐ Applicant certifies pursuant to 37 CFR. § 1.97(e) that:
 - ☐ each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement;
 - ☐ no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated

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under 37 CFR § 1.56(c) more than three months prior to the filing of this Statement; AND

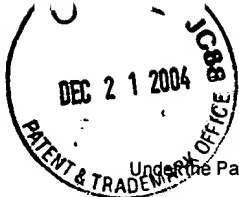
- ☐ attached hereto is the fee set forth under 37 CFR §1.17(p) for submission of this Information Disclosure Statement under 37 CFR. § 1.97(c); OR
- ☐ after the payment of the issue fee. Applicant requests that the information contained in this Information Disclosure Statement be placed in the file according to 37 CFR § 1.97(i), although the information may not be considered by the USPTO.
- ☒ Enclosed is a copy of each listed reference that may be material to the examination of this application, and for which there may be a duty to disclose.
- ☐ This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior application No. _____, filed on _____, and the references cited therein are hereby referenced, but are not required to be provided in this application under 37 CFR § 1.98(d).
- ☐ This application was filed after June 30, 2003. Therefore, pursuant to the waiver of the requirements under 37 CFR 1.98(a)(2)(i), copies of each U.S. Patent and each U.S. Patent Application Publication are not required to be submitted. Copies of any foreign patent documents and non-patent literature cited herein are enclosed.
- ☐ Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application, and the communication was not received by any individual designated in 37 CFR § 1.56(c) more than thirty days prior to the filing of this Information Disclosure Statement. 37 CFR § 1.704(d).
- ☒ Applicant submits that no fee is required for the consideration of this Information Disclosure Statement.

Consideration of the listed references and favorable action are solicited.

Respectfully submitted,
DINESH MODY ET AL.

Dated: 12/16/04

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Substitute for form 1449A/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT				Application No.	09/660,466
				Filing Date	September 12, 2000
				First Named Inventor	Dinesh Mody
				Art Unit	3739
				Examiner Name	Aaron F. Roane
Sheet	1	of	8	Attorney Docket Number	23488-09185

U.S. PATENT DOCUMENTS				
Examiner Initials*	Cite No. ¹	Document No. Number – Kind Code ² (if known)	Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		US-3,598,108	08-10-1971	JAMSHIDI ET AL.
		US-3,886,944	06-03-1975	JAMSHIDI
		US-3,976,082	08-24-1976	SCHMITT
		US-4,033,357	07-05-1977	HELLAND ET AL.
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		US-4,073,287	02-14-1978	BRADLEY ET AL.
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		US-4,891,483	01-02-1990	KIKUCHI ET AL.
		US-4,924,863	05-15-1990	STERZER

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609.

Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

23488/09185/DOCS/1478267.1



Substitute for form 1449A/PTO

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		US-4,945,912	08-07-1990	LANGBERG
		US-5,007,437	04-16-1991	STERZER
		US-5,019,076	05-28-1991	YAMANASHI ET AL.
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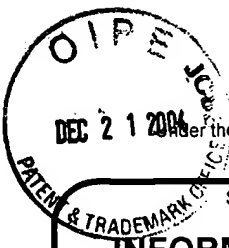
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		US-5,364,392	11-15-1994	WARNER ET AL.
		US-5,370,675	12-06-1994	EDWARDS ET AL.
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		US-5,571,215	11-05-1996	STERMAN ET AL.
		US-5,578,030	11-26-1996	LEVIN

Examiner Signature		Date Considered	
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		US-5,593,405	01-14-1997	OSYPKA
		US-5,599,295	02-04-1997	ROSEN ET AL.
		US-5,603,697	02-18-1997	GRUNDY ET AL.
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		US-5,810,803	09-22-1998	MOSS ET AL.
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		US-5,836,990	11-17-1998	LI
		US-5,843,171	12-01-1998	CAMPBELL ET AL.

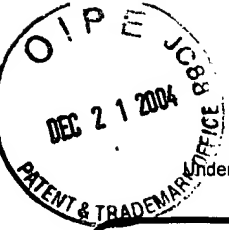
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Sheet 5 of 8

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document No. Number - Kind Code ² (if known)	Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		US-5,853,366	12-29-1998	DOWLATSHAH
		US-5,861,002	01-19-1999	DESAI
		US-5,861,021	01-19-1999	THOME ET AL.
		US-5,871,525	02-16-1999	EDWARDS ET AL.
		US-5,904,709	05-18-1999	ARNDT ET AL.
		US-5,919,188	07-06-1999	SHEARON ET AL.
		US-5,921,924	07-13-1999	AVITALL
		US-5,938,692	08-17-1999	RUDIE
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		US-6,016,811	01-25-2000	KNOPP ET AL.
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		US-6,027,497	02-22-2000	DANIEL ET AL.
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		US-6,178,354 B1	01-23-2001	GIBSON

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		US-6,190,382 B1	02-20-2001	ORMSBY ET AL.
		US-6,224,587 B1	05-01-2001	GIBSON
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Examiner Signature		Date Considered	
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Application No.	09/660,466
Filing Date	September 12, 2000
First Named Inventor	Dinesh Mody
Art Unit	3739
Examiner Name	Aaron F. Roane
Attorney Docket Number	23488-09185

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				First Named Inventor	Dinesh Mody
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				Examiner Name	Aaron F. Roane
Sheet	1	of	10	Attorney Docket Number	23488-09185

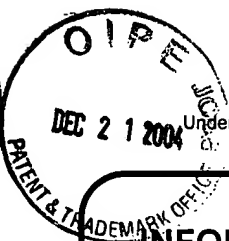
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				Art Unit	3739
				Examiner Name	Aaron F. Roane
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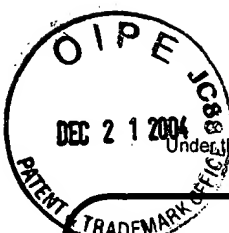
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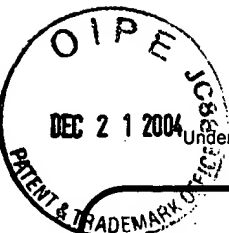
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				Art Unit	3739
Examiner Name	Aaron F. Roane				
Attorney Docket Number	23488-09185				
Sheet	3	of	10		

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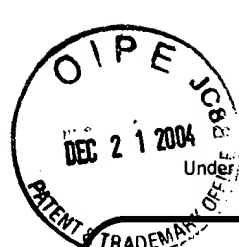
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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT****Complete if Known**

Application No.	09/660,466
Filing Date	September 12, 2000
First Named Inventor	Dinesh Mody
Art Unit	3739
Examiner Name	Aaron F. Roane
Attorney Docket Number	23488-09185

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT				Substitute for form 1449A/PTO		Complete if Known	
				Application No. 09/660,466		Filing Date September 12, 2000	
First Named Inventor		Dinesh Mody		Art Unit		3739	
Examiner Name		Aaron F. Roane		Attorney Docket Number		23488-09185	
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Attorney Docket Number	23488-09185

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				Application No.	09/660,466
Sheet 9 of 10				Filing Date	September 12, 2000
				First Named Inventor	Dinesh Mody
				Art Unit	3739
				Examiner Name	Aaron F. Roane
				Attorney Docket Number	23488-09185

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				Filing Date	September 12, 2000
				First Named Inventor	Dinesh Mody
				Art Unit	3739
				Examiner Name	Aaron F. Roane
Sheet	10	of	10	Attorney Docket Number	23488-09185

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code ³ - Number ⁴ Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	T ⁶
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OTHER REFERENCES - NON-PATENT LITERATURE DOCUMENTS					
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published			T ⁶

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